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SUSAN Y. SOONG CLERK, U.S. DISTRICT COURT

Shikeb Saddozai-CDCR#AY1590 California Correctional Institution(CCI) P.O.Box 1905 Tehachapi, California 93581 In Pro se NORTHERN DISTRICT OF CALIFORNIA UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 Case No.C-18-05558 BLF(PR) SHIKEB SADDOZAI 7 Plaintiff. MOTION FOR APPOINTMENT 8 OF COUNSEL V. 9 10 CLAWSON 11 Defendants. 12 13 14 Pursuant to 28 U.S.C. § 1915 (e)(1) Plaintiff Shikeb Saddozai 15 moves for an order appointing counsel to represent him in this 16 case. In support of this motion, Plaintiff states; 17 18 1. Plaintiff is unable to afford counsel, and has requested leave to proceed IN FORMA PAUPERIS , and as a result of 19 being indigent, plaintiff has been granted appointment of counsel by the: 20 FIRST APPELLATE DISTRICT , on criminal matter. see attached Exhibit: A. 21 22 2. The issues in the case are complex, because it contains several different legal claims, with each claim invol-23 ving a different set of defendants, all related to each other, arising out of the same transaction, 24 occurrence, or series of transactions or occurrences. Fed R.Civ.P 20(a)(2) 25 26

Page 1

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3. The plaintiff has no legal knowledge of the law, with only a high school education, not competent to try the case, with physical and mental disability that would make it difficult for plaintiff to present case, which an attorney can make a difference in the outcome of case.

see attached Exhibit: B.

- 4. The plaintiff has limited or no access to facility law library photocopying, notarizing, legal reference materials, nor ability to print from legal reference materials or electronic copies from the LEXIS NEXIS SYSTEM, nor is librarian trained in the field of law, and has repeatedly denied legal book check-outs, and threatened filing false disciplinary action from seeking assistance from other inmates, and refused allowing me to making copies of my complaints filed in support of my claims, in addition to libray cancelations. see attached Exhibit: C.
- 5. The plaintiff wrote letters to the following attorney's and or legal orginizations:
  John E. Hill , Joseph Saei , R.Michael Flynn, ACLU, asking them to handle this case and plaintiff's letters requesting representation have been rejected. see attached Exhibit: D.
- 6. The case requires investigation that plaintiff will not be able to do because of his imprisonment preventing his ability to litigate, such as obtaining the following: discovery of documents, medical records, jail/prison incident reports that plaintiff is not allowed to have, identity of witnesses and defendants, interviewing other witnesses that were victims of abuse and mistreatment, prior history of officers, as well as preparation beyond the ability of a In Pro Se prisoner.
- 7. The plaintiff and or witnesses have been transferred and or released where events last occured described in plaintiffs complaint that know the facts, that need to be proved, and due to the changed circumstances.
- 8. There will be credibility issues strongly expected to be disputed which will require an attorney to conduct cross-examination that will involve conflicting testimony, and

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counsel would better enable plaintiff to present evidence by virtue of experience and not of being locked up in plaintiffs custody.

- 9. Expert testimony will be needed which involves technical. medical, and mental health issues and requiring process serving on multiple defendants and witnesses, that will require depositions, some who are supervisory officials, presenting complex legal issues of detirmining which defendants were sufficiently personally involved in the Constitutional violations to be held liable.
- 10. Plaintiff's case has merit and the aforementioned factors have been met.
- 11. Plaintiff has intentionally had his legal materials confiscated and destroyed and legal correspondence taken and reviewed outside his presence or consent by defendants to prevent plaintiff from initiating civil action.obstruct access to the courts, seek help, expose misconduct, including denied delivery via U.S. postal of legal reference materials.
- 12. The plaintiff has demanded a jury trial, which requires much greater legal skills than the plaintiff has or can develop such as the totality of the conditions, state of mind, issues of deliberate indifference, defense of qualified imunity, the Constitutionality of a federal statute, questions of the extent of prisoners rights under the federal disability statutes, and detirmining whether a prison regulation violates the Turner v. Safley, "reasonable relationship" standard.
- 13. Should the courts deny plaintiff's, MOTION FOR APPOINTMENT OF COUNSEL, plaintiff request the courts to provide a brief recital as to why the motion should not be granted. Allen v. Thomas, 388 F.3d 147,150(5th Cir.2004); Howland v. Kilquist, 833 F.2d 639,646(7th Cir.1987)

WHEREFORE, this Honorable Court should appoint counsel to represent the plaintiff in this case.

Date: August 8th, 2019

Abaddozai

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EXHIBIT -

Court of Appeal, first Appellate District Charles D. Johnson, Clerk Executive Officer Electronically RECEIVED on 8/10/2018 at 11/52/37 AM

## IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

#### FIRST APPELLATE DISTRICT

#### **DIVISION 5**

THE PEOPLE,

Plaintiff and Respondent,

٧.

Shikeb Saddozai.

Defendant and Appellant.

A154894 (San Mateo County Super. Ct. No. 16NF001414)

### **Order Appointing Counsel**

By the Court:

Upon the recommendation of the First District Appellate Project, Michael Allen (State Bar No. 254082) is appointed to represent appellant Shikeb Saddozai in this Court on an independent basis.

If the record has not yet been transmitted, the Clerk of the Superior Court is directed to send the record on appeal to:

Michael Allen 12655 W. Jefferson Blvd Fl. 4 Los Angeles, CA 90066.

Appellant's Opening Brief shall be filed forty (40) days from either the date of the filing of the record or from the date of this order, whichever is later.

Appellant:

Shikeb Saddozai (AY1590) San Quentin State Prison San Quentin, CA 94974 Appointed Counsel:

Michael Allen 12655 W. Jefferson Blyd Fl. 4 Los Angeles, CA 90066





Individual Report for SADDOZAI S
Report Identification Information

Student ID: AY 1590

Test Date: 01/24/19 Report Date: 01/25/19 Page No: 16

Test Group: Sutton01242019AM Test Name: TABE 9/10 Basic Ed

Examiner: Sutton,B ABE 3 Site Name 03

Tag Group: Entire Group

Skill Area	L/F	NC	· NA	SS	GE	NP	NS	OM
Reading	D9	23	50	469	4.4	29	4	20
Mathematics Computation	D9	11	39	371	2.7	7	2	0
Applied Mathematics	D9	15	50	442	3.8	22	3	11
Language	D9	22	55	443	2.7	20	3	0
Total Mathematics		26	89	406	3.1	12	3	
Total Battery	! _	71	194	439	3.3	19	3	1

L/F=Test Level & Form NC=Number Correct NA=Number Attempted

SS=Scale Score GE=Grade Equivalent
NP=National Percentile NS=National Stanine OM=% Objectives Mastered

Predicted GED					
Content Area	Score	Status			
Reading	320	Instructional			
Mathematics	280	Instructional			
Writing	350	Instructional			
Science	320	Instructional			
Social Studies	330	Review			
Average	330	Instructional			

NRS Levels							
Content Area Level Description							
Reading	3	Low Intermediate Education					
Language	2	Begining Basic Education					
Total Mathematics	2	Begining Basic Education					

Objectives	Score	Mastery Level	Percent Correct
Reading			
D01 Intrp Graph	0/4	Non-Mastery	0
D02 Wd In Contx	0/ 4	Non-Mastery	0
D03 Recall Info	11/13	Mastery	84
D04 Const Mean	8/17	Non-Mastery	47
D05 Eval/Ex Mng	4/12	Non-Mastery	33
Subtest Average			46
Mathematics Computation			
D13 Mul Whi Num	2/ 5	Non-Mastery	40
D14 Div Whl Num	2/ 5	Non-Mastery	40
D15 Decimals	1/8	Non-Mastery	12
D16 Fractions	2/ 8	Non-Mastery	25
D17 Integers	3/ 9	Non-Mastery	33
D18 Percents	1/5	Non-Mastery	20
Subtest Average			28
Applied Mathematics			
D21 Num Operatn	1/8	Non-Mastery	12
D22 Comp Contxt	3/4	Mastery	75
D23 Estimation	1/5	Non-Mastery	20
D24 Measurement	3/6	Partial Mastery	50
D25 Geometry	1/6	Non-Mastery	16
D26 Data Analy	3/7	Non-Mastery	42
D27 Stat/Prob	2/4	Partial Mastery	50
D28 Pre-Alg/Alg	1/6	Non-Mastery	16
D29 Prob Solvg	0/4	Non-Mastery	0
Subtest Average	1		30

Objectives	Score	Mastery Level	Percent Correct
Language			
D30 Usage	9/15	Partial Mastery	60
D31 Sent Forma	1/7	Non-Mastery	14
D32 Para Devel	3/11	Non-Mastery	27
D33 Capitaliz	2/4	Partial Mastery	50
D34 Punctuation	5/11	Non-Mastery	45
D35 Writg Conv	2/7	Non-Mastery	28
Subtest Average	1		40
Total Average		İ	36

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Page 7 of 8

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## Saddozai, Shikeb

ID# 01251590

Agency: 8151 - California Department of Corrections & Rehabilitation (CDCR)

Program: Basic Skills (ABE)

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## **EDUCATION PROGRESS REPORT**

Date of Report													<del>-</del> -
01/09/2019													
Name (Last, First)				CDC	Institu	utio	n			School N	chool Name		
SADDOZAI, SHIKEB				Number	Californ	nia C	Correctional I	nstitutio	nn.				
				AY1590		California Correctional Institution Tehachapi Mountain Adult School					thool		
Assignment Date	Perio	od Being Revie	wed		Exit Da	Exit Date Reassignment Recommendation					Reason		
10/25/2018	10/2	5/2018 to 12/31/2018				•			Rea	son			
Program Title													
Adult Basic Education III												Prog	ram Grade
		<del>                                     </del>										U	
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ABE 3 Mathematics		8		0			0		N	U		0.0	
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Module Name		Grade	'	on Date			Placement Test Type	ype Test Date Comp			Module Completion		Other Grade
									Other				
					No	Ro•	ws Found						
Employment Readines Assessment	ss/Beh	avior			Commen	its:			-				
Attitude		Satisfactory			Inmate Saddozai has been enrolled since 10/25/2018 doesn't appear to have completed much								
Ethics		Satisfactory			work. He is currently assigned to Number Power 1 and will continue working in this book this coming quarter. He will be receiving a full battery TABE in the near future.						book this		
Work Habits		Satisfactory			7								
Cooperation		Satisfactory	<del>_</del>										
Problem Solving		Satisfactory											
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12/13/2018		CASAS						99		Math-035M	- 210		
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EXHIBIT C

Sase 5:18-cv-05558-BLF Document 20 Filed 08/15/19 Page 11 of 30

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CR 22 (10/09)					بسايد ومساو	
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#### Case 5:18-cv-05558-BLF Document 20 Filed 08/15/19 Page 12 of 30

STATE OF CALIFORNIA INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

SECTION A: INMATE/PA	ROLEE REQUEST		
NAME (Print): (LAST NAME)	(FIRST NAME)	CDC NUMBER:	SIGNATURE:
_ Snd-1070;	Shikoh	AVISAG	
HOUSING-BED NUMBER:	ASSIGNMENT:	1141201	1.12030202
CCI-C1-243	CCI Facility Law Lie	HOURS FROMTO	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.):
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STATE OF CALIFORNIA
INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE
CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

NAME (Print): (LAST NAME)	(FIRST NAME)	COC NUMBER.	SIGNATURE:
Saddozai	Shikeb	AY1590	ShikebSaddovai
HOUSING/BED NUMBER:	ASSIGNMENT COI-Facility	v :	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT PAROLE, ETC.):
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#### Case 5:18-cv-05558-BLF Document 20 Filed 08/15/19 Page 14 of 30

STATE OF CALIFORNIA
INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE
CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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## RE: Copy request

Ludwigsen, J @CDCR

Thu 6/13/2019 1:18 PM

To:Butterbredt, L @CDCR <L .Butterbredt@cdcr.ca.gov>;

A 602 is only copied once when it's still in the appeals stage. If he needs it for exhibits going to the court, then he has to show what court document he is attaching it to where it's going. But getting ten copies of a 602 is denied.

From: Butterbredt, L @CDCR

Sent: Thursday, June 13, 2019 8:16 AM

To: Ludwigsen, J. @CDCR

Subject: Copy request

Good morning, this guy is wanting ten copies of a 602. I told him I would need your approval. Could you let me know asap?

Thanks a bunch & have a great day,

Ÿ

Copy

# To whom It May Concern

Per librarian request I am Submitting this letter to abtain authorization to photocopy CDC-Form-602 Appeal For the following reason(6):

- 1) Attach ment / Exhibits
- 7) Per Habeus Petition instructions requires Ten (10) copies
- 3) To advance in my litigations

Inorder to initiate and maintain court actions and complaints

Codially

Shikeb Saddozai AVIS9.0 (Immate) C.C.I Faulity

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STATE OF CALIFORNIA INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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STATE OF CALIFORNIA
INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE
CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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STATE OF CALIFORNIA INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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STATE OF CALIFORNIA
INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE
CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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STATE OF CALIFORNIA INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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XHIBIT -

EXHIBIT I



June 17, 2019

Shikeb Saddozai CDCR #AY1590 P.O. Box 1905 Tehachapi, CA 93581

#### Dear Shikeb Saddozai:

Thank you for contacting the ACLU concerning bringing a civil lawsuit regarding your incarceration.

Due to severely limited resources, the ACLU is unable to provide you with legal representation. If you are seeking to file a lawsuit to recover money damages for your injuries, you may wish to contact L.A. Police Watch at 3435 Wilshire Blvd., Suite 2900, Los Angeles, CA 90010-2015. Or you may wish to contact the local bar association in the area in which the abuse occurred for a referral to a private attorney.

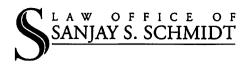
We regret we are unable to assist you with your legal issue.

Sincerely,

Lee Morgan
Intake Coordinator



#### **LEGAL INTAKE DEPARTMENT**



TEL (415) 563 8583 FAX (415) 223 9717 1388 SUTTER STREET, SUITE 810 SAN FRANCISCO, CA 94109 SS@SANJAYSCHMIDTLAW.COM

February 13, 2019

VIA US MAIL

Shikeb Saddozai – AY1590 California Correctional Institution P.O. Box 1905 Tehachapi, CA 93581

Dear Mr. Saddozai:

Thank you for contacting my office again, recently. I am sorry to hear about your matter. As I stated in my letter dated 3/16/18, I am writing to confirm to you that I cannot take your case. Please be advised that I will not be representing you or taking any action on your behalf. Your documents

Please understand that we have not investigated your case and are expressing no opinion as to its merits or the likelihood you will prevail. Rather, we are informing you that we are unable to take your case. My decision is not meant to reflect on the merits of your matter and is not intended to discourage you from pursuing the matter.

I strongly recommend that you consult with another attorney about this matter, without delay. There are various statutes of limitations imposing time deadlines and other requirements on the commencement of suits. Multiple statutes of limitations could apply. Some limitation periods are as short as six-months from the date of the injury-causing event. Such time limits usually apply to state law claims against public entities and their employees such as police departments, the State, cities, counties, schools, county hospitals, libraries, fire departments, and other government entities. Other limitation periods can be as short as one year and other limitation periods are two years. There are other limitation periods that also can apply. You need to seek legal counsel immediately to identify and calculate the applicable statutes of limitations so that you preserve your right to sue. Failure to comply with the applicable statute(s) of limitations could forever bar you from pursuing your case or could bar certain claims. Again, there are certain rigid time restrictions that must be met in prosecuting your case or your rights might be forever lost. Therefore, if you intend to pursue this matter, it is imperative that you not delay in moving the case forward. Contact another attorney right away.

Again, I will not be representing you in this matter and will not be taking action on your behalf. We wish you the best of luck in the future. Thank you for contacting my office.

Kind Regards,

LAW OFFICE OF SANJAY S. SCHMIDT

Sanjay S. Schmidt

Sanjay S. Schmidt



February 19, 2019

Shikeb Saddozai, AY1590 California Correctional Institution (CCI) P.O. Box 1031 Tehachapi CA 93581-1031 LEGAL MAIL

Re: Decision Not To Undertake Legal Representation Regarding Saddozai v. Ron Davis, et al., USDC Case No: 5:18-cv-05558-BLF

#### Dear Mr. Saddozai:

We have decided not to represent you regarding the above-referenced matter. We are returning all of the documents that you provided to us, which is your letter dated February 1, 2019, and the envelope transmitting it postmarked February 5, 2019. This letter also confirms that we have not provided you with any legal advice regarding this matter. Finally, we will not be making any claims or filing any lawsuits on your behalf.

Our decision has no effect on the merits of any aspect of the above-referenced matter. Please be advised that various laws impose strict deadlines as to when claims can be made or lawsuits can be filed. Your failure to meet these deadlines may prevent you from successfully prosecuting a claim or a lawsuit. Therefore, we encourage you to consult with your current lawyers if you decide to pursue this matter.

We wish you success in resolving this matter to your satisfaction.

Very truly yours

South

BRIAN GEARINGER, ESQ.

Enclosures



TEL (415) 563 8583 FAX (415) 223 9717 1388 SUTTER STREET, SUITE 810 SAN FRANCISCO, CA 94109 SS@SANJAYSCHMIDTLAW.COM

March 16, 2018

**VIA US MAIL** 

Shikeb Saddozai 1168472 300 Bradford Street Redwood City, CA 94063

Dear Mr. Saddozai:

Thank you for contacting my office recently. I am sorry to hear about your matter. I am writing to confirm to you that I cannot take your case. Please be advised that I will not be representing you or taking any action on your behalf. Your letter is enclosed as you requested.

Please understand that we have not investigated your case and are expressing no opinion as to its merits or the likelihood you will prevail. Rather, we are informing you that we are unable to take your case. My decision is not meant to reflect on the merits of your matter and is not intended to discourage you from pursuing the matter.

I strongly recommend that you consult with another attorney about this matter, without delay. There are various statutes of limitations imposing time deadlines and other requirements on the commencement of suits. Multiple statutes of limitations could apply. Some limitation periods are as short as six-months from the date of the injury-causing event. Such time limits usually apply to state law claims against public entities and their employees such as police departments, the State, cities, counties, schools, county hospitals, libraries, fire departments, and other government entities. Other limitation periods can be as short as one year and other limitation periods are two years. There are other limitation periods that also can apply. You need to seek legal counsel immediately to identify and calculate the applicable statutes of limitations so that you preserve your right to sue. Failure to comply with the applicable statute(s) of limitations could forever bar you from pursuing your case or could bar certain claims. Again, there are certain rigid time restrictions that must be met in prosecuting your case or your rights might be forever lost. Therefore, if you intend to pursue this matter, it is imperative that you not delay in moving the case forward. Contact another attorney right away.

Again, I will not be representing you in this matter and will not be taking action on your behalf. We wish you the best of luck in the future. Thank you for contacting my office.

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April 2, 2018

Shikeb Saddozai, #1168472 300 Bradford Street Redwood City, CA 94063 LEGAL MAIL

Re: Decision Not To Undertake Legal Representation Regarding Saddozai v. Peter Nelson, et al., USDC Case No: 3:17-cv-00560-JD

#### Dear Mr. Saddozai:

We have decided *not* to represent you regarding the above-referenced matter. We are returning all of the documents that you provided to us, which is your letter dated 2-18-2018, and the envelope transmitting it postmarked 3-23-1018. This letter also confirms that we have *not* provided you with any legal advice regarding this matter. Finally, we will *not* be making any claims or filing any lawsuits on your behalf.

Our decision has no effect on the merits of any aspect of the above-referenced matter. Please be advised that various laws impose strict deadlines as to when claims can be made or lawsuits can be filed. Your failure to meet these deadlines may prevent you from successfully prosecuting a claim or a lawsuit. Therefore, we encourage you to consult with your current lawyers if you decide to pursue this matter.

We wish you success in resolving this matter to your satisfaction.

Enclosures

Enclosures

## Ingrid M. Evans Attorney



March 8, 2018

Ingrid M. Evans (CA, DC, NY)

hogid M. Erano

#### **YIA US REGULAR MAIL**

Mr. Shikeb Saddozai 1168472 300 Bradford Street Redwood City, CA 94063

Your Inquiry to Evans Law Firm, Inc., Re: Civil Rights Violations

Dear Mr. Saddozai,

Thank you for contacting the Evans Law Firm, Inc. Please allow this letter to confirm that we will not be able to accept your case and must, therefore, decline representation. We recommend calling Brian Gearinger at (415) 440-3102.

You should not construe this firm's decision not to take on representation as constituting a legal opinion that you do not have a valid legal claim.

Very truly yours,

Ingrid M. Evans

# Case 5:18 cv-05558-BLE Document 20 Filed 08/15/19 Page 30 of 30 HAYES SCOTT BONINO ELLINGSON GUSLANI SIMONSON & CLAUSE LLP

Stephen P. Ellingson, Esq. | Direct Line: 650.486.2873| Email: sellingson@hayesscott.com| www.hayesscott.com

April 4, 2018

Shikeb Saddozai – 11684472 300 Bradford Street Redwood City, CA 94063

Re: Representation

Dear Mr. Saddozai:

We are in receipt of your correspondence dated February 13, 2018. Unfortunately, we will not be able to assist you.

Your letter indicated documents were included and asked us to return them. However, it did not include any documents. Nonetheless, we are unable to represent you.

Sincerely,

Stephen P. Ellingson

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